

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

File No. 1:99-CR-76

v.

HON. ROBERT HOLMES BELL

MARVIN CHARLES GABRION,

Defendant.

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ORDER

This matter is before the Court on the government's request pursuant to FED. R. APP. P. 10(e) to include the transcripts of the February 5, 2002, deposition of Linda Coleman and the November 20, 2001, deposition of Katherine Westcomb in the certified record for purposes of appeal.

Upon review the Court finds that both of these deposition transcripts were admitted as substantive evidence at Defendant Gabrion's jury trial (Docket # 452; Minutes of 2/26/02 & 2/27/02) and are material to the appellate record. Accordingly,

IT IS HEREBY ORDERED that the government's request to include two deposition transcripts in the certified record for purposes of appeal, (Docket # 666) is **GRANTED**.

IT IS FURTHER ORDERED that the deposition transcripts of Linda Coleman and Katherine Westcomb that have been provided to the Clerk of the Court be **CERTIFIED** for inclusion in the record on appeal and **TRANSMITTED** to the Clerk of the Sixth Circuit Court of Appeals.

Date: November 21, 2005

/s/ Robert Holmes Bell

ROBERT HOLMES BELL

CHIEF UNITED STATES DISTRICT JUDGE